

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 5-10, 14-19, 23-28, and 32-36 are pending in this application. Claims 1, 7, 8, 10, 16, 17, 19, 25, 26, 28, 34, and 35 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,108,492 to Mayachi in view of U.S. Patent 6,026,380 to Weiler et al. (herein “Weiler”). Claims 5, 6, 9, 14, 15, 18, 23, 24, 27, 32, 33, and 36 were rejected under 35 U.S.C. § 103(a) as unpatentable over Mayachi in view of Weiler further in view of U.S. 5,414,494 to Aikens et al. (herein “Aikens”). Those rejections were affirmed in the Board Decision of September 23, 2010. Those rejections are hereby traversed in view of the presently submitted claim amendments and comments.

The claims are directed to a system, method, and computer readable medium that allow monitoring of how a user selects buttons on an operation panel of an image forming device. That is, an image forming device includes an operation panel including plural buttons to be selected by a user. Those buttons, as non-limiting examples, can relate to a selection of a number of copies, copy conditions, paper size selection, etc. An operation in the claimed invention is to monitor the selection of those buttons by a user. That is, the claims are directed to monitoring when a user selects, for example, a paper size operation, when the user selects a copy number operation, etc. One objective of the claimed invention is to monitor such data so that a user’s usage of an operation panel can be evaluated, so that the setup, layout, control, etc. of an operation panel of an image forming device can be improved.

Claim 1 is directed to a system including an image forming device having direct network access and including an operation panel, the operation panel comprising a plurality of buttons to be selected by a user. With respect to that feature applicants draw attention to Figure 1 in the present specification showing image forming devices 24, 28, 32 having direct access to the network 10, and Figure 11 showing an operation panel 700 with plural buttons

705, 710, 715 to be selected by a user; see also the present specification at page 19, line 8 *et seq.*

Further, in claim 1 a monitoring unit is configured to monitor data of selecting of the plurality of buttons of the operation panel by the user, including monitoring each of a sequence, timing, or frequency of selecting of the plurality of buttons, and to generate a log of the monitored data, the log of the monitored data being in the form of a map mapping each of key data in a key portion of the map to respective value data in a corresponding value data portion. With respect to that feature applicants draw attention to Figure 9 in the present specification showing a monitoring and logging block 515 and Figure 12 showing a monitoring package 1200. The monitoring package 1200 monitors data of selecting of the plurality of buttons of the operation panel by the user, including monitoring at least one of a sequence, timing, or frequency of selecting of the plurality of buttons, which is noted in the present specification for example in Figure 25 and at page 35, line 30 *et seq.* That monitoring package 1200 also generates a log of the monitored data in the form of a map mapping each of key data in a key portion of the map to respective value data in a corresponding value data portion, as shown for example in Figures 22-25 in the present specification each showing a map of key data to value data.

Further, in claim 1 a communicating unit is configured to receive a command to send information based on the log of the monitored data, and to send the information of the monitored data through the direct network access. With respect to that feature applicants draw attention to the sending package 1600, which can receive a command to send information based on the log of the monitored data and can send such information through the direct network access, applicants also draw attention to the discussion in the specification at page 20, line 23 *et seq.*

Further, in claim 1 the monitoring unit and the communicating unit are self-contained in the image forming device prior to any initial external communication connection by the communication unit, and the monitoring unit is configured to generate the log of the monitored data without any initial external communication connection by the communication unit. With respect to that feature applicants draw attention for example to Figure 9 in the present specification showing the monitoring and logging block 515 and the sending block 520 as part of the application unit 300, which can be an image forming device, see also the present specification at page 18, lines 15-17 and page 18, line 30 *et seq.* Applicants also draw attention to Figure 17 in the present specification showing a “start monitoring” operation 1300 and the corresponding discussion in the present specification at page 24, line 18 *et seq.* Those disclosures make clear that the log of the monitored data is generated without any initial external communication connection by the communicating unit.

Applicants note the claims are herein amended to clarify certain features therein. The claims are particularly amended in view of certain grounds for affirming the rejections noted in the outstanding Board Decision.

The claims are specifically herein amended to no longer refer to “a plurality of operations to be selected by a user”, but to now instead recite “a plurality of buttons to be selected by a user”. This feature is believed to be clear from the original disclosure, see for example Figure 11 showing an operation panel 700 with plural buttons 705, 710, 715 to be selected by a user. The claims also clarify monitoring “each of a sequence, timing, and frequency of selecting of the plurality of buttons”. That feature is believed to be clear from the original disclosure, see for example Figure 25 and the specification at page 35, line 30 *et seq.*

The above-noted claim amendments are believed to clarify the claims in view of the grounds for affirming the rejection in the Board Decision.

In that respect the outstanding Board Decision states:

Appellants contend that Weiler does not teach or suggest monitoring and keeping a log of at least one of a sequence, timing, or frequency of selecting of the plurality of operations. In particular, Appellants contend that the log taught by Weiler does not indicate what buttons on an operation panel have been selected. App. Br. 13. However, claim 1 does not recite "indicate what buttons have been selected," and Appellants have provided no basis for reading this into claim 1.

Appellants further contend that Weiler discloses monitoring copy events. However, according to Appellants, a copy event does not necessarily correspond to which operation on a panel a user has selected. Appellants describe claim 1 as if it requires a log that records the pressing of a copy button ten times in a first way, but records setting a number of copies at ten, then pressing the copy button once, in a second way. App. Br. 13-14; Reply Br. 4. However, claim 1 does not require that the log of the "plurality of operations" that are monitored must include information about a number of times a copy button is pressed, and Appellants have provided no basis for reading such a limitation into claim 1.¹

In reply to the above-noted grounds for affirming the rejection in the Board Decision, applicants note the claims now explicitly recite providing an indication of "what **buttons** have been selected by a user". The claims also now clarify monitoring *each of* a sequence, timing, and frequency of a selecting of the plurality of buttons. By monitoring each of such aspects of the sequence, timing, and frequency, in the claimed invention a log of the recorded selections of the buttons can indicate, for example, whether a copy button was pressed 10 times or whether a setting of a number of copies was set at 10 and then a copy button was only pressed once.

Thereby, the presently submitted claim amendments are believed to address the above-noted grounds for affirming the rejection set forth in the Board Decision of September 23, 2010. Applicants now also reiterate previously submitted comments to the allowability of

¹ Board Decision of September 23, 2010, page 7, last paragraph, and page 8, first paragraph.

the claims in view of the newly-cited claim language, reiterating the claims as currently written are believed to clearly distinguish over the applied art.

Claim 1 recites an image forming device “including an operation panel, the operation panel comprising a plurality of buttons to be selected by a user”, and a monitoring unit configured to “monitor data of selecting of the plurality of buttons of the operation panel by the user, including monitoring at least one of a sequence, timing, or frequency of selecting of the plurality of buttons”. The other independent claims 10, 19, and 28 recite similar features.

As noted above, the claims are directed to a system, method, and computer program product that allows monitoring of how a user selects buttons on an operation panel of an image forming device. That is, an image forming device includes an operation panel that has plural buttons to be selected by a user. Those buttons, as non-limiting examples, relate to selection of a number of copies, copy conditions, paper size selection, etc. An operation in the claimed invention is to monitor the selection of those buttons by a user. That is, the claims are directed to monitoring when a user selects, e.g., a paper size button, when the user selects a copy number button, etc. One objective of the present invention is to monitor such data so that a user’s usage of an operation panel can be evaluated, so that the setup, layout, control, etc. of an operation panel of an image forming device can be improved.

Neither Miyachi nor Weiler disclose or suggest any monitoring of buttons on an operation panel of an image forming device that a user selects.

The outstanding rejection misinterprets the claimed features relative to disclosure of Miyachi with respect to the above-noted operation of the claimed invention. One basis for the rejection states “[c]learly a multifunction peripheral such as Miyachi’s must monitor user input at the operation panel in order to effectuate the proper operations requested by the

user".² The above statement in the Office Action reflects the Office Action is not properly considering the above claimed features. Of course a multifunction device must *recognize* which buttons on an operation panel a user selects so that the proper copying, scanning, faxing etc. operations are executed. That is not what the claims recite. Recognizing what selections an operator makes, however, does not *indicate that those same buttons are monitored and logged*. Applicants respectfully submit it is clearly not the case that a multifunction peripheral such as Miyachi would monitor and log the user's button selection an operation panel.

Another basis for the rejection cites Miyachi to disclose monitoring the selecting of the plurality of buttons on the operation panel at column 5, lines 57-65.³ That disclosure in Miyachi does not correspond to the claimed features.

At column 5, lines 27-30 Miyachi discloses that the multifunction peripheral includes a user input device 285 with button switches. However, the monitoring referred to at column 5, lines 57-65 in Miyachi is *not* directed to monitoring selections of those button switches, and particularly each of a sequence, timing, and frequency of selecting those buttons. More specifically, at column 5, lines 57-65 Miyachi discloses monitoring the conditions of the multifunction peripheral and updating a status information table such as Table 1 shown in columns 6-7. However, Miyachi does not disclose or suggest monitoring which button switches are selected by a user. In fact, in Table 1 in Miyachi all the status information stored therein is directed to different status indications of the device itself, but is not directed to which selections on an operation panel a user selects. Miyachi merely discloses monitoring different status conditions of the device, but does not disclose or suggest monitoring which buttons on an operation panel a user selects.

² Office Action of March 27, 2007, page 3, prenumbered paragraph 10, lines 3-5.

³ Office Action of March 27, 2007, page 5, line 3-7.

Even more specifically, at column 5, lines 57-65 Miyachi refers to “monitoring the condition of the MFP and updating a status information table”. Miyachi does not disclose or suggest the claimed features of monitoring an input sequence of a selection of buttons on an operation panel of a user, and such information is in fact of no interest to the device of Miyachi. Table 1 of Miyachi contains status conditions “[User] key original document size selection” and “[User] key paper size selection”. However, Miyachi does not disclose or suggest, nor have any reason, to monitor each of the sequence, timing, and frequency of selections of buttons selected by a user. For example in Miyachi if a change is made from an original document size from 11 x 17 to letter size and a paper size selection from letter size to 11 x 17 or size enlargement, the input sequence and frequencies are not at all tracked.

In such ways, Miyachi is not directed to a device even similar to the claimed invention.

The outstanding rejection also appears to cite Weiler in combination with Miyachi with respect to the above-noted features. In that respect, the outstanding rejection appears to cite Weiler to disclose monitoring at least one of a sequence, timing, or frequency of selecting of a plurality of buttons and to generate a log of the monitored data, citing Weiler at column 4, lines 48-63.⁴

However, Weiler does not cure the recognized deficiencies of Miyachi, as now discussed.

At column 4, lines 48-63 Weiler discloses recording a log table of different copy events. However, again that teaching in Weiler is *not* directed to the claimed features of monitoring and keeping a log of each of sequence, timing, and frequency of selecting of the buttons on an operation panel. Weiler discloses monitoring how copying is being executed, but the log in Weiler would not indicate what buttons on an operation panel of an image

⁴ Office Action of March 27, 2007, page 5, lines 3-7.

forming device the user has selected. Instead, in Weiler the execution of copy events is logged. Such features in Weiler are not directed to the claimed features and do not cure the discussed deficiencies in Miyachi.

The claims recite monitoring each of a sequence, timing, and frequency of selecting of the plurality of buttons on an operation panel. That is, which buttons on an operation panel a user selects is monitored and logged. Weiler simply does not disclose or suggest that feature, but instead Weiler discloses monitoring *copy events*; a copy event does not necessarily correspond to which button on an operation panel a user selected.

Weiler at the cited column 4, lines 48-63 discloses “each *copy event* is recorded in the event log table in step 915”.⁵ The copy event in Weiler does not detail which buttons a user actually selected or how often. For example, with the claimed invention, if a user selected making one copy ten times by pressing the copy button ten times, then that would be logged in the claimed invention in a first way, whereas if a user utilized the operation panel to set the number of copies at ten and then pressed the copy button only once, that would be logged a different second way. In those examples, in the claimed invention, the selected buttons on the operation panel are different, so the monitored data is different. That does not appear to be the case in Weiler in that in Weiler only the copy event is recorded, so that in the example noted above in Weiler in each case the only event recorded would be that ten copies are made.

In view of the foregoing comments, applicants submit the claims as currently written are allowable over the applied art.

⁵ Weiler at column 4, lines 53-54 (emphasis added).

As no other issues are pending in this application, it is respectfully submitted this application is in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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